IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO. 334 OF 2007
IN
WRIT PETITION NO. 3250 OF 2001

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : B.P. DHARMADHIKARI, J.
JANUARY 25, 2007.

Heard Shri Marpakwar, learned counsel for Respondent No.1 - applicant and Shri Agarwal, learned counsel for the petitioner – Bank.

The request is to release additional amount of Rs. One lakh for treatment of wife. Perused application.

Shri Agarwal, opposes the request. He states that the ground is not substantiated. He further contends that security furnished by Respondent No.1 is already exhausted because of previous withdrawals and adjustment thereof against it. He in the alternative urges that if this Court is inclined to permit withdrawal, it should be subject to furnishing additional

security by Respondent No.1 to the satisfaction of the petitioner – Bank. He further invites attention to the order dated 23.3.2004 passed by this Court on Civil Application No. 1325 of 2004 and states that the petitioner – Bank should be permitted to release payment in favour of concerned Doctors after submission of the bills so as to see that the amount is properly utilised.

In the circumstances, application is allowed. Respondent No.1 is permitted to withdraw the amount of Rs. One lakh as prayed for subject to furnishing fresh and additional security to the satisfaction of the petitioner – Bank. The petitioner – Bank shall release the necessary amount in favour of Doctors directly after receipt of bills from Respondent No.1 for that purpose.

Civil Application is accordingly disposed of.

JUDGE

*GS.